

enforce their rights.”) The effectiveness of a remedial statute like the IFCA is diluted if the relator is denied the opportunity to recoup fees incurred in collection efforts.

Therefore, this Court concludes that Desai’s Supplemental Proceedings Fee Petition for fees and expenses incurred by S&K is permitted under the IFCA.

D. Reasonableness of the S&K Attorney’s Fees Sought in the Fee Petition

The remaining issue before this Court is to assess the reasonableness of S&K’s fees.

Illinois follows the lodestar method for determining the reasonableness of a petition for attorneys’ fees and expenses, wherein the starting point for such a calculation “is the number of hours, reasonably expended on the litigation multiplied by a reasonable hourly rate.” *Watson v. South Shore Nursing & Rehab Ctr., LLC*, 2012 IL App (1st) 103730, *57. In determining whether a fee petition is reasonable, the court looks to a variety of factors, including “the skill and standing of the attorneys employed, the nature of the case, the novelty and difficulty of the issues involved, the degree of responsibility required, the usual and customary charge for the same or similar services in the community, and whether there is a reasonable connection between the fees charged and the litigation.” *Harris Trust & Sav. Bank v. American Nat’l Bank & Trust Co.*, 230 Ill. App. 3d 591, 595 (1st Dist. 1992); *see also Young v. Walden Gardens of Waterford, LLC*, 2015 IL App (1st) 131887, *102 (listing factors); *Watson*, 2012 IL App (1st) 103730, *57 (listing factors).

As a result of the Court’s rulings concerning the Diamond and K&B fees petitions, the only fee petition remaining is the S&K fee petition that is part of the Supplemental Proceedings Fee Petition.⁷ The S&K petition seeks an award of the fees and costs incurred by S&K for collection of the Statutory Fee Award Judgment, including work performed to research, prepare, and file the UFTA petition. The fee petition seeks an award of fees in the amount of \$150,230 and costs in the amount of \$8,868.51, for a total of \$159,098.51. Attached to the fee petition are S&K’s monthly bills which provide billing detail by (a) date, (b) legal professional performing the work, (c) task description, and (d) time increments (in one-tenths of an hour).

This Court personally supervised all of the post-judgment efforts to collect the sums awarded in Judge Snyder’s December 10, 2018 Statutory Fee Award Judgment. The Court therefore is well acquainted with the work undertaken by S&K in these post-judgment proceedings.

As an initial matter, this Court notes that it is very familiar with the work performed by the law firm of Schwartz and Kanyock, LLC in a wide range of commercial post-judgment cases. Over the past four years, this Court has presided over dozens of post-judgment cases—complex,

⁷ Judgment Debtors in part argued that Desai sought redundant and duplicative charges for work attributed to two or three of the law firms that had represented Desai. However, having established that Diamond and K&B are not entitled to recover legal fees for representing themselves or their beneficial interests, this Court finds that this argument is rendered moot.

routine, and everything in between—handled by S&K, and, in particular, by Mr. Schwartz. S&K enjoys a well-deserved reputation in the post-judgment practice area. The firm’s lawyers are experienced, knowledgeable, efficient, timely, and thoughtful, and they consistently deliver successful results for their clients. This case is in accord with the Court’s observation and experience in these many other cases.

In this case, Mr. Schwartz undeniably served as the lead lawyer for, and the architect of, the overall post-judgment collection effort. Mr. Schwartz and his S&K colleagues successfully prosecuted dozens of citations to discover assets, subpoenas, and motions for turnovers in this case. This overall collection effort was complex. S&K reviewed thousands of pages of relevant documents that were disclosed in response to various citations and subpoenas. S&K was successful in discovering hidden or, at the very least, difficult to locate assets owned or controlled by the Judgment Debtors. This required thoughtful, careful, diligent, and creative work, as well as substantial motion practice. Moreover, S&K faced consistent, able, and tenacious opposition from the Judgment Debtors’ lawyers to the majority of its post-judgment collection efforts, including significant battles concerning the existence of the Judgment Debtors’ assets, as well as the turnover of the cash value of several whole life insurance policies. S&K also researched and drafted a substantial fraudulent transfer complaint that remains pending before this Court.

The Court further finds that the hourly rates of the S&K lawyers was fair, reasonable, and consistent with rates charged by other lawyers in Chicago for similar legal services. The Court also finds that the amount of time expended by the S&K lawyers for the post-judgment discovery undertaken, the collection tasks, and litigation activities that were described on the monthly S&K legal bills was fair and reasonable.

Finally, the Court concludes that the results achieved demonstrates the value that S&K brought to the task. S&K was successful in recovering the full amount of the December 10, 2018 judgment—\$1,139,528, plus over \$100,000 in post-judgment interest.

Accordingly, the Court GRANTS the Relator’s Supplemental Fee Petition for the fees and expenses incurred by S&K and awards a total of \$159,098.51 in such fees and expenses.

III. CONCLUSION

For the foregoing reasons, the Court enters the following relief:

1. The Court GRANTS IN PART AND DENIES IN PART the Supplemental Proceedings Fee Petition. For the fees and expenses sought by Schwartz & Kanyock, LLC, the Court GRANTS an award of fees in the amount of \$150,230 and expenses in the amount of \$8,868.51, for a total award of \$159,098.51. The Court DENIES all other request for fees and expenses for the Supplemental Proceedings Fee Petition.